



January 28, 2015

SENATE BILL No. 127

DIGEST OF SB 127 (Updated January 26, 2015 1:14 pm - DI 106)

Citations Affected: IC 22-9.

Synopsis: Religious exemption in state and local contracts. Provides that a contract entered into, modified, or renewed by the state or any of its political or civil subdivisions after June 30, 2015, with a religious corporation, an association, an educational institution, or a society must include language stating that, to the extent permitted under executive order 13279 or Title VII of the federal Civil Rights Act of 1964, as amended, the religious corporation, association, educational institution, or society is not prohibited from giving a preference in employment to individuals of a particular religion or requiring that all employees and applicants conform to the religious tenets of the organization.

Effective: July 1, 2015.

Holdman

January 6, 2015, read first time and referred to Committee on Civil Law.
January 27, 2015, amended, reported favorably — Do Pass.

SB 127—LS 6291/DI 102



January 28, 2015

First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 127

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 22-9-1-10 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10. **(a) Subject to**
3 **subsection (b)**, every contract to which the state or any of its political
4 or civil subdivisions is a party, including franchises granted to public
5 utilities, shall contain a provision requiring the contractor and ~~his the~~
6 **contractor's** subcontractors not to discriminate against any employee
7 or applicant for employment to be employed in the performance of such
8 contract, with respect to ~~his the employee's or applicant's~~ hire, tenure,
9 terms, conditions or privileges of employment or any matter directly or
10 indirectly related to employment, because of ~~his the employee's or~~
11 **applicant's** race, religion, color, sex, disability, national origin, or
12 ancestry. Breach of this covenant may be regarded as a material breach
13 of the contract.

14 **(b) This subsection applies to a contract entered into, modified,**
15 **or renewed by the state or any of its political or civil subdivisions**
16 **after June 30, 2015, with a religious corporation, an association, an**

SB 127—LS 6291/DI 102



1 educational institution, or a society. Every contract must include
2 a modification to the provision required under subsection (a) that
3 states the religious corporation, association, educational institution,
4 or society is not prohibited from:

5 (1) giving a preference in employment to individuals of a
6 particular religion; or

7 (2) requiring that all employees and applicants conform to the
8 religious tenets of the organization;

9 to the extent permitted under executive order 13279 or Title VII of
10 the federal Civil Rights Act of 1964, as amended (42 U.S.C. 2000e
11 et seq.).



COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill No. 127, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 9, after "under" insert "**executive order 13279 or**".

and when so amended that said bill do pass.

(Reference is to SB 127 as introduced.)

ZAKAS, Chairperson

Committee Vote: Yeas 7, Nays 0.

